

South Wonston Parish Council

Complaints Policy and Procedure

Adopted by South Wonston Parish Council 11th September 2017

Reviewed and Updated 8th October 2018

Reviewed 10th February 2020

Reviewed 12th July 2021

Complaints should be raised with one of the following, the Parish Clerk, the Chairman or Vice-Chairman in writing. The individual Councillor/Clerk should be given the opportunity to respond. If one of the above and the complainant agree that the complaint has not been resolved, the next step is for a formal complaint to be made. All complaints should be made through one of the three officers of the Parish Council. The Councillor/Clerk complained about should not be contacted directly by the complainant.

The types of complaints to be considered:

- **A Councillor about another Councillor;**
- **A member of the public about a Councillor;**
- **A member of the public about procedural matters.**

You have a right to expect good quality services from the Parish Council and the Council welcomes contact from its residents and customers.

The Council views the use of the procedure as an efficient way of dealing with contact from the public about the Council's procedures or administration and as a means of preserving the good reputation of the Council through a transparent process.

Complaints Policy

- The Complaints system will be easily accessible
- It will be simple to understand and use, and its operation will be regularly reviewed
- Complaints received will be acknowledged and logged
- All complaints will receive a full and fair investigation
- A response will normally be sent within 15 working days of receipt, subsequent to outcomes of the investigation
- Subject to the need for a thorough investigation, the procedures will respect people's desire for confidentiality
- The Council response will address all the points at issue and will attempt to provide effective and appropriate redress where fault on the part of the Council has been acknowledged
- Where relevant the Council will want to learn from complaints and provide appropriate information within the Council so that services can be improved and systems altered where needed

Complaints Procedure

Stage 1

1. The complainant should address the complaint about the Council's procedures or administration, in writing to the Clerk of the Parish Council. This can be by letter or by e-mail.
2. If the complainant does not wish to put the complaint to the Clerk of the Council, then it should be sent to the Chairman of the Council. This would be relevant if the matter is one with which the Clerk has been closely involved
3. An acknowledgement letter or e-mail is sent within 3 working days of receipt.
4. The complainant will have a response in writing within 15 working days. If the complaint is very serious or complex, it may take longer, in which case, the complainant will be advised accordingly.

Stage 2

1. Complaints initially handled by the Clerk of the Council – If the complaint is not resolved in Stage 1, the complainant may ask for a review of the case by the Chairman of the Council, who should respond to the complainant, in writing, within 7 working days.
2. Complaints initially handled by the Chairman of the Council – If the complaint is not resolved in Stage 1, the complainant may ask for a review of the case by the Vice Chairman, who will respond to the complainant, in writing, within 7 working days.

Stage 3

1. If the complainant is still unhappy, their case can be presented either in person or in writing to the Parish Council Committee, which will consider the matter in the absence of any members who have been previously involved. .
2. The complainant shall be invited to attend the relevant meeting and bring with them such representation as they wish.
3. Seven clear working days prior to the meeting, the complainant shall provide the Council with copies of any documentation or other evidence, which they wish to refer to at the meeting. The Council shall similarly provide the complainant with copies of any documentation upon which they wish to rely at the meeting.

Stage 4

1. If the complainant is still unhappy with the reply this can be referred to Winchester City Council.

At the Meeting

1. The committee shall consider whether the circumstances of the meeting warrant the exclusion of the public and the press.
2. If the Chairman or Vice Chairman of the Council has previously been involved, they will have to withdraw from the committee and a chairman will need to be elected to conduct the business of the complaint.
3. The Chairman of the committee or the member presiding will introduce everyone and will explain the procedure.
4. The complainant or representative will outline the grounds for the complaint.
5. Members may ask any question/s of the complainant.
6. If relevant, the Clerk of the Council will explain the Council's position.

7. Members may ask any question/s of the Clerk of the Council.
8. The Clerk of the Council and complainant will be offered the opportunity of last word (in this order).
9. The Clerk of the Council, complainant and representative/s will be asked to leave the room while members decide whether or not the grounds for the complaint have been justified. If a point of clarification is required, both parties will be invited back.
10. The Clerk of the Council, complainant, their representative/s and councillors will return, along with any members of the public or press (see paragraph 1), to hear the decision or to be advised when the decision will be made.
11. If a member presiding had been elected under paragraph 2, the Chairman of the Parish Council will now resume chairmanship.

After the Meeting

1. The decision will be confirmed in writing to all involved parties within 7 working days together with details of any action to be taken.

The Investigation Report should contain:

- Full details of the outcome of the investigation
- A recommendation whether they believe the complaint is : Upheld/partially upheld/not upheld
- Any actions proposed to deal with issues raised and necessary to avoid this happening in the future
- On receipt of the report of the Investigation, the Clerk or the Chairman will prepare a response including determining if a refund of fees is appropriate.
- Recommendations of how to avoid this type of complaint in future will be noted.

The following range of responses will enable the Council to ensure that responses are fair and impartial, and demonstrates to users that it welcomes comments on the quality of its service:

- Expression of regret whenever possible and appropriate
- Apology when a fault on the part of the Council is identified
- Correction of organisational deficiency where appropriate, which will be recognised in the response, where appropriate
- Maximum liability is normally limited to the refund of fees or charges already paid if the Council is found liable for not providing an adequate service.

Monitoring Arrangements

The Parish Council will receive half yearly reports from the Clerk reporting all complaints and compliments received and any actions taken.

What this Policy and Procedure does not cover

Please note that this procedure is designed for dealing with complaints about the Council's administration or its procedures. If your complaint is about anything that is not the Parish Council's responsibility, it will be passed on to the appropriate authority.

If your complaint is about any of the following, there are separate procedures in place:

1. **Complaints by one council employee against another council employee, or between a council employee and the council as employer.** These matters should be dealt with under the council's disciplinary and grievance procedures.
2. **Allegations of financial irregularity.** Local electors may object to the Council's Annual Accounts under Section 16, Audit Commission Act 1998. On other matters, the Council may need to consult its internal auditor or the External Auditors.
3. **Criminal Activity.** The complainant should be advised to contact the police.
4. **Safeguarding.** The complainant should be advised to contact the Hampshire Safeguarding Children Board